

**Corrections Standards Authority (CSA)  
SB 81 Local Youthful Offender Rehabilitative Facility  
Construction Funding Program  
Executive Steering Committee**

**MEETING MINUTES**

**COMMITTEE CHAIRS:**

**Linda Penner**, Chair  
Fresno County Chief Probation Officer  
CSA Board Member  
**Adele Arnold**, Co-chair  
Siskiyou County Chief Probation Officer  
CSA Board Member  
**Carol Biondi**, Co-chair  
CSA Board Member, Public Member

**LOCATION:**

Corrections Standards Authority  
660 Bercut Drive  
Sacramento, CA 95811

**TIME CONVENED:**

February 19, 9:00 am

**TIME ADJOURNED:**

February 19, 4:00 pm

**PRESENT:**

**Executive Steering Committee (ESC) Members:**

**Colleene Preciado**, Orange County Chief Probation Officer, **John Roberts**, Kern County Chief Probation Officer, **Doug Carver**, Nevada County Chief Probation Officer, **Perry Reniff**, Butte County Sheriff, **Mike Nelson**, Merced County Board of Supervisors, **Tom Mitchell**, Mendocino County Executive Officer, **Sue Burrell**, Staff Attorney, Youth Law Center, **Scott Crane**, Youth Member, **Don Kingdon**, Ph.D., California Mental Health Directors Association, **Geoff Henderson**, Senior Program Director, Phoenix House, Orange County.

**Corrections Standards Authority (CSA) Staff:**

**C. Scott Harris**, Executive Director; **Bob Takeshta**, Deputy Director; **Marlon Yarber**, Deputy Director; **Leslie Heller**, Field Representative; **Charlene Aboytes**, Field Representative; **Melinda Ciarabellini**, Field Representative; **Doug Holien**, Corrections Consultant; **John Kohls**, Ph.D., Corrections Consultant; **John Berner**, Ph.D., Corrections Consultant.

**ABSENT:** **Tom Bosenko**, Shasta County Sheriff, **Kim Barrett**, San Luis Obispo County Chief Probation Officer

## **MINUTES PREPARED BY: Melinda Ciarabellini, CSA Field Representative**

### **I. Welcome and Introductions**

Committee Chair, **Linda Penner** began the meeting with introductions of the ESC members, staff and the public attendees. Corrections Standards Authority's Executive Director **C. Scott Harris** welcomed the group. Deputy Director **Bob Takeshta** discussed the goals of the meeting.

### **Housekeeping/Travel Expense Claims**

CSA staff secretary **Sue Roseberry** explained how to complete the travel expense claims for the ESC members.

### **III. PUBLIC COMMENTS**

Committee Chair, **Linda Penner** opened the meeting to public comment. The following individuals offered public testimony.

**Noor Dawood**, representing the Prison Law Office urged the ESC to consider not restricting the counties to building locked facilities. Counties should be given the discretion to build community treatment facilities that are not required to be locked facilities, for the youth that do not pose a threat to public safety but have mental health issues.

**Jerry Powers**, Stanislaus County Chief Probation Officer addressed the ESC and summarized the round table discussions with the Governor's Office that led to Senate Bill (SB) 81. He stated that the \$100 million in construction funding is significantly less than the \$400 million that was originally proposed. Chief Powers emphasized the wide spectrum of services and needs throughout the state, from large counties who have a rich continuum of services, to small counties who do not even have a juvenile hall and very few services. Chief Powers urged the ESC to allow for as much flexibility as possible while requiring counties to prove their need and show the gaps in services in order to qualify for funding.

### **IV. Funding History**

#### **Brief Description of Section 30, SB 81**

#### **Role of the Executive Steering Committee (ESC) and the Request for Proposals (RFP) Process**

CSA Field Representative **Charlene Aboytes** provided an overview of CSA's history with respect to administering jail and juvenile hall construction funds. Deputy Director **Bob Takeshta** briefly described SB 81, the typical request for proposal (RFP) process and the role of this ESC. He reminded the group that the decisions reached here today would be forwarded to the CSA Board as recommendations. Deputy Director **Bob Takeshta** introduced Deputy Director **Marlon Yarber** of CSA's Corrections Planning and Programs Division who gave a brief overview of the funding available to counties for juvenile programs in institutional settings. He highlighted various programs operating in the counties of Santa Clara, Orange, Solano, Ventura, and Humboldt.

## V. Discussion of Issues/Rating Factors and Process

Committee Chair, **Linda Penner**, guided the group through a discussion of the Issues Paper for the Executive Steering Committee. The following is a summary of the decisions reached by the ESC.

Targeted Purpose. ESC member, **Sue Burrell**, offered her interpretation of SB 81 as allowing construction that is not limited to Title 15/24 standards and could include mental health treatment facilities, correctional treatment facilities and level 14 group homes. Deputy Director **Bob Takeshta** explained CSA's statutory limitations with regard to the construction and inspection of juvenile halls, camps or ranches, both secure and non-secure. That, coupled with the lease-revenue bond process with the State Public Works Board having administrative oversight of these construction projects, does not allow for the construction of facilities other than those built to Title 24 standards. He added that the Title 24 standards are broad enough to allow for a great deal of flexibility to build both secure and non-secure facilities that will accommodate rehabilitative programming. After much discussion, the ESC agreed that the targeted purpose of this funding is to support the rehabilitation of youthful offenders through local construction projects that meet Title 24 standards and are within CSA's statutory authority.

Scope of Work. The ESC members had no objection to allowing for the many types of construction projects affecting local juvenile facilities (juvenile halls, camps or ranches) to meet the variety of needs of each county, including building new facilities, or adding new housing units or programming space to existing facilities.

The RFP will emphasize that counties have the flexibility to propose projects that fulfill their specific needs. The RFP will also provide examples of various projects (regional facilities, programs within camps, etc.) that counties could consider.

Renovation Projects. While SB 81 allows for renovation projects, the ESC agreed that renovation and deferred maintenance projects will not be allowed unless they will extend the useful life of the facility for 35 years or more. This is in part due to the lease-revenue bond process administered by the State Public Works Board who has oversight responsibility and ultimate project approval.

Building "Green." The ESC was very supportive of encouraging counties to build green but recognized that there currently are no regulations in place requiring counties to build green. It would be a difficult factor to rate on its own without regulations and definitions. It was agreed that to what extent the new construction will be green would be factored into the scope of work and project impact rating criteria.

Building for Future Need. Due to the fact that SB 81 requires counties to staff and operate new, expanded or remodeled facilities within 90 days of construction completion, the ESC agreed to only allow counties to build for needs meeting year 2012 projections, and no further.

Number of Proposals. The ESC decided that each county may submit only one proposal for one project, except in cases of regional project proposals. Counties

participating in a regional project proposal with other counties may also submit a separate project proposal for their individual county.

Use of State Funds. In order to stretch the state dollars as far as possible, the ESC decided to allow state dollars to reimburse counties for construction costs only. The remaining project costs (site acquisition, preliminary plans and working drawings) cited in SB 81 can be claimed as match, as well as other project costs previously determined by CSA to be eligible match items.

Funding Set-Asides. The discussion centered on the diverse needs between small, medium and large counties up and down the state. It was recognized that there are small counties who lack basic core services. It was agreed that like-sized counties should compete with each other.

Public comment was offered by Stanislaus County Chief Probation Officer **Jerry Powers** who said the tipping point for the counties to decide whether they are going to apply for the money will be the staffing costs and whether or not they can afford to commit to the 35 year operational lifespan of the facility.

Public comment was offered by Tuolumne County Chief Probation Officer **Shirley Juhl** who stated that there are nine counties that do not have a juvenile facility and some are discussing pooling their resources in a regional facility. Small counties may not have the number of kids as larger sized counties but the kids have the same issues. Small counties are very creative and are often able to do things that large counties cannot. The small counties want a level playing field.

Further public comment was offered by Stanislaus County Chief Probation Officer **Jerry Powers** who suggested that they not create a "free for all," but rather divide the funding into set asides. He added that counties will want to know who they are competing against for the money. He further stated that there are counties that do not have essential services and have big needs. He urged the ESC to look at the proposals that are asking for the basics.

Co-Chair **Adele Arnold** read a letter from Humboldt County Chief Probation Officer **Doug Rasines** emphasizing that small counties can not compete with the large counties. In Humboldt's case, they need to replace an old linear facility.

Further public comment was offered by Tuolumne County Chief Probation Officer **Shirley Juhl** in response to an ESC comment that a small county project may cost approximately \$6 million to construct. She stated that she thought \$6 million for a small county project seemed "lean" and that \$10 to \$15 million was more reasonable.

The ESC agreed to divide the \$100 million into three separate "pots" of money. Based on Department of Finance July 2007 general population data to determine which counties fall into each of the three categories, they arrived at the following:

- Large counties (700,001 population and above): \$35 million
- Medium counties (200,001 to 700,000 population): \$35 million
- Small counties (up to 200,000 population): \$30 million

Any money left over in any of the set-aside categories would be reallocated to another category by the CSA Board.

Regional Facilities. The ESC decided to adopt the language used in the AB 900 County Jail Construction or Expansion RFP for regional facilities which states multiple counties must submit one single proposal from the lead county in which the project is being constructed. They also decided the size of the lead county will determine the group (small, medium or large) against which the proposal will be rated. The state money will come out of the set-aside amount for the size of the lead county.

Cost Caps. The ESC discussed the issues and ramifications of capping the total amount of state funds that can be requested by individual counties within the established funding set-aside amounts for small, medium and large counties.

Public comment was offered by Stanislaus Chief Probation Officer **Jerry Powers** who said he thought there should be a cap. If there were no cap, it might encourage counties to include the “nice to haves” in their proposals. A cap will produce a more cost-effective proposal.

Public comment was offered by **Suzie Cohen**, a private consultant who suggested an alternative to establishing a cap. In a previous RFP there was a statement of the intent to fund as many projects as possible within the given set-aside categories. This statement would advise and encourage counties not to submit proposals for the entire amount in the set-aside category.

Following a vote by the ESC, the majority ruled to not limit the amount of state funds a county can request within the funding set-asides established for large, medium and small counties. They also agreed to include a statement of the intent to fund as many projects as possible as suggested by **Ms. Cohen**.

Match Requirements. Like AB 900, SB 81 requires counties to provide a minimum match of 25% of total eligible project costs. CSA staff was asked to explain the match breakdown that the AB 900 ESC developed. The ESC agreed that a great deal of thought and logic went into developing the AB 900 match criteria and voted to adopt the same criteria for the SB 81 process. Using the same county population breakdown, they adopted the following requirements:

- Large counties: 15% in-kind match maximum; 10% cash match minimum
- Medium counties: 20% in-kind match maximum; 5% cash match minimum
- Small counties: 20% in-kind match maximum; 5% cash match minimum

The group also agreed with the AB 900 ESC that counties that provide a greater amount of cash match (more than the minimum required) should receive credit in the competitive process to receive SB 81 funds. The ESC agreed to establish cash match as a rating category. Any county meeting the minimum cash match requirement would receive points for cash match, with more points given to those with more cash match when computed as a percentage of state funds requested.

The ESC discussed the legislative provision that small counties can request a reduction in match from the CSA Board and agreed to be consistent with the AB 900 process in that the permissible reduction would pertain to in-kind match only; small counties would be required to provide the earlier agreed upon minimum 5% cash match. It was further agreed that counties seeking advance notice of their reduction in match (prior to submission of proposals) would submit their petition to CSA staff for placement on the CSA Board agenda. The petition for reduction in match can also come with the county's submitted proposal. The CSA Board will establish the criteria they will use to approve or deny the county's match reduction petitions.

Proposal Submission Requirements. The ESC adopted the proposal submission requirements (i.e., maximum number of pages, font size, etc.) as suggested and contained in the ESC Workbook.

Oral Presentations. The ESC agreed to allow counties to make brief oral presentations of their proposals but the presentations themselves will not receive an individual rating score.

Rating Factors and Criteria. Corrections Consultant; **John Berner**, PhD. led the discussion regarding the cost effectiveness rating factor, which SB 81 requires to be taken into consideration. **Dr. Berner** explained how a computation-based rating factor for cost effectiveness could be employed but may be very difficult due to the various types of construction projects that may be proposed (i.e. detention facilities versus program space only versus renovation). The other option that is more subjective would be to define cost effectiveness as a rating factor and assign rating points. The ESC choose to define cost effectiveness as a rating factor to include budget review, and assign rating points subjectively.

Corrections Consultant **John Kohls**, PhD. led the group through a discussion of potential proposal rating factors and rating criteria. The group decided to combine proposed rating factor 3. Assessment and Case Management of Juvenile Offenders, with proposed rating factor 1. County's Approach to the Rehabilitation of Juvenile Offenders. Clarity was added to the sub-factor asking to describe the facility's classification system, by adding "assuming the county has a facility." A new sub-factor under 4. Relationship Between Construction Plan and Rehabilitation of Juvenile Offenders, was added to read, "Describe how the proposed construction will support and integrate with rehabilitative services." Under proposed rating factor 6. Scope of Work and Project Impact, "Will the new construction be 'green?,' the ESC added "and in what way?" A new sub-factor was also added to proposed rating factor 6., "Will the new construction support new information technology and in what way?" Attachments A and B reflect the ESC's decisions on the recommended rating factors and criteria.

## **VI. Timelines and Next Steps**

CSA Field Representative **Charlene Aboytes** indicated that there is a preliminary timeline of key events in the ESC Workbook. The next meeting of the ESC will be the Rater's Training and is tentatively scheduled for September or

October 2008. Additional meetings of the ESC will be determined on an as-needed basis.

The next task for the ESC will be to review the draft RFP that will be developed by CSA staff as a result of this meeting today.

Committee Chair, **Linda Penner** thanked the committee members and staff. The meeting was adjourned at approximately 4:00 PM.

<b>SB 81: Local Youthful Offender Rehabilitative Facility</b> <b>Construction Funding Program</b> <b>EXECUTIVE STEERING COMMITTEE</b> <b>February 19, 2008</b>		
<b>Proposal Rating Factors</b>		<b>Weight</b>
<b>1</b>	County's Approach to the Rehabilitation of Juvenile Offenders	125
<b>2</b>	Project Need	175
<b>3</b>	Relationship Between Construction Plan and Rehabilitation of Juvenile Offenders	175
<b>4</b>	Detention Alternatives	125
<b>5</b>	Scope of Work and Project Impact (What they are going to do)	125
<b>6</b>	Administrative Work Plan (How they are going to do it)	100
<b>7</b>	Overall Quality of Written Proposal	25
<b>8</b>	Cash Match	25
<b>9</b>	Cost Effectiveness / Budget Review	75
<b>10</b>	Regional Facilities	50
<b>Total</b>		<b>1000</b>



**SB 81: LOCAL YOUTHFUL OFFENDER REHABILITATIVE FACILITY  
CONSTRUCTION FUNDING PROGRAM**

**RECOMMENDED LIST OF PROPOSAL RATING FACTORS  
ESTABLISHED BY THE EXECUTIVE STEERING COMMITTEE  
February 19, 2008**

**1. County's Approach to the Rehabilitation of Juvenile Offenders**

1. State the county's role in the rehabilitation of juvenile offenders.
2. Describe the county's specific rehabilitation and recidivism-reduction programs for juvenile offenders.
3. Describe the results of process and outcome evaluations (if any) of county rehabilitation programs for juvenile offenders.
4. Describe the county's future plans for the rehabilitation of county juvenile offenders.
5. Describe the risk and needs assessment tools and practices used locally for juvenile offenders.
6. Describe how assessment findings are used to assign offenders to programs.
7. Describe your facility's proposed classification system (assuming you have a facility).

**2. Project Need**

1. Summarize the conclusions of the county's needs assessment specific to this proposal.
2. Provide information and statistical data to support needs assessment.
3. Identify security, safety or health needs (if any).
4. Identify program and service needs (if any).
5. Describe litigation, court orders or consent decrees related to crowding or other conditions of confinement.
6. Provide non-compliance findings or recommendations from state and local authorities.
7. Provide information regarding any court-ordered caps or CSA crowding assessment.

**3. Relationship Between Construction Plan and Rehabilitation of Juvenile Offenders**

1. Describe the rehabilitation efforts that will be made possible or enhanced by the new construction or renovation.
2. Provide information regarding how the rehabilitation efforts associated with the new construction or renovation will fit into the county's overall plan for juvenile offender rehabilitation.
3. Describe how the effectiveness of the rehabilitative efforts associated with the new construction or renovation will be evaluated.
4. Describe how the proposed construction will support and integrate with rehabilitative services.

**4. Detention Alternatives**

1. Describe issues in your county relating to crowding (e.g., growth in the at-risk population).
2. Describe steps taken to reduce crowding, including detention alternatives.
3. Compare the proportions of minority populations in juvenile detention facilities with minority populations in the general population.
4. Describe steps taken to reduce disproportionate minority contact.

**5. Scope of Work and Project Impact (What they are going to do)**

1. Describe the proposed scope of work specifically payable from state funds, cash match and in-kind match.
2. Describe how the scope of work will meet identified needs, or mitigate/remedy/improve existing conditions.
3. Will the new construction be “green” and in what way?
4. Will the new construction support new information technology and in what way?

**6. Administrative Work Plan (How they are going to do it)**

1. Describe the current stage of the planning process.
2. Provide the plan for project design.
3. Provide the project timeline.
4. Describe your plan for project management (including key staff).
5. Describe your plan for project administration.
6. How will the county translate the proposal into a completed project?
7. Describe the county’s readiness to proceed with the project (e.g., does your county already own the construction site?).

**7. Overall Quality of the Written Proposal**

1. Information is clear and easy to understand.
2. Proposal is organized as required by the RFP.
3. Proposal is comprehensive and includes all the required narrative elements and addresses all criteria.

**8. Cash Match****9. Cost Effectiveness / Budget Review**

1. Provide justification for the amount of state funds requested, given the content and scope of your proposed construction project.
2. Describe why you believe your approaches to addressing your identified construction needs are cost effective (i.e., describe how the benefits will be worth the costs).
3. Describe steps you have taken to minimize construction costs.
4. Describe other funding streams that might be available to enhance or support your construction project and help stretch the impact of state funds.

**10. Regional Projects (small, medium and large)**